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Before The PEDERAL COMMUNICATIONS COMMISSION

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expanded radio service. For this reason, the Commission has concluded that it will not entertain competing expressions of interest in such cases. See FM License Upgrading, 60 R.R.2d 114, 119 (1986). Because the allotment proposed in the instant rulemaking is a higher class mutually exclusive co-channel, the public interest benefits previously recognized by the Commission will be achieved by the proposed allotment and the expeditious modification of the license for Station WTMI(FM). Therefore, if the Commission allots Channel 226C to Miami, Florida, as Marlin urges, Marlin will promptly file the required modification application to permit it to operate the higher class facility and, upon approval, will modify its facility accordingly.

Respectfully submitted,

MARLIN BROADCASTING, INC.

Its Attorney

Akin, Gump, Strauss, Hauer & Feld, L.L.P. 1333 New Hampshire Avenue, N.W. Washington, D.C. 20036 (202) 887-4011

July 28, 1993

## CERTIFICATE OF SERVICE

I, Dayle L. Jones, a secretary in the law firm of Akin, Gump, Strauss, Hauer & Feld, L.L.P., hereby certify that a copy of the foregoing "Comments of Marlin Broadcasting, Inc." was served by hand-delivery this 29th day of July, 1993, upon the following:

Michael Ruger Chief, Allocations Branch Policy and Rules Division Mass Media Bureau 2025 M Street, N.W., Room 8322 Washington, D.C. 20554

Roy Stewart Chief, Mass Media Bureau Federal Communications Commission 1919 M Street, N.W., Room 314 Washington, D.C. 20554

Dayle A. Dones